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Government
Publications

GLOSSARY OF CORRECTIONAL TERMS



Ontario



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INTRODUCTION

The ministry of correctional services in Ontario has jurisdiction over adult male and female persons placed on probation, those on remand awaiting trial or sentencing, those being held for immigration hearings or deportation, those awaiting transfer to federal institutions, those sentenced to terms of less than two years, and those released on parole.

The main purposes of the ministry are to provide custody and community supervision as directed by the courts and as provided for in federal and provincial legislation governing correctional services in Ontario. The ministry also provides information to assist the courts in making decisions. In order to help offenders make positive personal and social adjustments, the ministry makes available a wide variety of academic, vocational, and occupational programs. It also develops and provides programs for the prevention of crime.

The ministry of correctional services administers *The Ministry of Correctional Services Act*, RSO 1980, C.275.

There are five major types of provincial correctional facilities in Ontario: jails, detention centres, correctional centres, a training centre, and forestry camps. In addition, the Ontario Correctional Institute in Brampton provides classification, assessment, and treatment for mentally disordered offenders. Educational and vocational services are also provided. The assessment and treatment unit within the Guelph Correctional Centre provides psychiatric evaluation and treatment for male inmates referred from other provincial institutions.

Each type of facility is defined in this glossary. It should be noted that, although the booklet deals only with the Ontario correctional system, a definition is included for

'penitentiary,' which is the term most commonly used to describe institutions operated by the federal government's Correctional Service Canada. The term penitentiary is often wrongly substituted when one of the provincial facilities is being referred to.

The glossary on the following pages was compiled to aid those students and others who, through an increasing public awareness and interest, are involved in examining the correctional system in this province. It is hoped that a familiarity with correct terminology will lead to a better understanding of the judicial process.

ABSOLUTE DISCHARGE

A disposition whereby the court may, if it considers it to be in the best interest of the accused, and not contrary to the public interest, instead of convicting the accused, order that the accused be discharged absolutely (with no conditions). (See Pardon.)

ADULT

(for correctional purposes only)

In Ontario, any person 16 years of age or over. (Implementation of the provisions of the Young Offenders Act will raise the age of adult offenders from 16 to 18 years by April 1, 1985.)

ALIAS

(or AKA: also known as)

An assumed name.

APPEAL

Request by an accused or the Crown for a review of a court decision by a higher court.

ARREST

The act of apprehending a person by legal authority.

ASSESSMENT

An interview to determine the appropriate placement for an inmate in an institutional program.

BAIL

(Judicial Interim Release)

Accused persons may be released upon payment to the court of a stipulated sum of money, the depositing of a real property deed, or upon their own recognizance (promise to reappear) whether they are charged with an indictable or summary conviction offence until such time as they appear in court to answer the charge(s) against them.

BAIL HOSTEL

A community residence where accused persons live as a condition of pretrial release. Bail hostels enable judges to grant release to persons who might otherwise be detained pending trial.

BAIL SUPERVISION

Community supervision of an accused until a final decision is made by the court.

BAIL VERIFICATION

The confirmation of factual information about an accused's community ties to facilitate a decision by the court at a bail hearing.

CLASSIFICATION

Inmates are assigned to institutions and programs on the basis of their security requirements and social and psychological needs for treatment or training. They are interviewed upon admission to institutions by classification personnel who prepare individual assessments which become the basis of subsequent classification decisions.

COMMUNITY RESOURCE CENTRE (CRC)

A residence for selected offenders who live in the community while serving their sentences. The individual may work, attend academic or trades training programs, or take part in treatment programs. Commonly known as a halfway house.

COMMUNITY SERVICE ORDER (CSO)

A condition of a probation order which requires the offender to perform a prescribed number of hours of unpaid work for the benefit of the community.

CONCURRENT SENTENCES

Two or more sentences to be served at the same time, the length of sentence being determined by the longest sentence imposed.

CONDITIONAL DISCHARGE

A disposition whereby the court may, if it considers it to be in the best interest of the accused, and not contrary to the public interest, instead of convicting the accused, order that the accused be discharged upon the conditions prescribed in an order (as in the case of Suspended Sentence and Probation). (See Pardon.)

CONSECUTIVE SENTENCES

Two or more sentences to be served, one immediately following the other.

CORRECTIONAL CENTRE

A medium and/or maximum security institution generally housing inmates according to age, offence-pattern, location of home, and length of sentence.

CORRECTIONAL OFFICER

Correctional officers are responsible, under the direction of the superintendent, for the day-to-day operation of correctional facilities. Their duties vary according to the type of institution, but security and the daily welfare of inmates are of prime importance in all facilities.

CRIMINAL CODE

Federal legislation, passed by the parliament of Canada, respecting the criminal law of Canada. This legislation sets out the duties and responsibilities of the courts and its officers, stipulates offences and penalties, and sets forth appeal procedures and legal jurisdiction.

CRIMINAL RECORD

A register of crimes maintained on persons charged with or convicted of offences under the federal Criminal Records Act.

CUSTODY

Maintaining of an accused or convicted person in a correctional facility.

DAYS SATISFIED

The number of days served plus remission earned for good behavior on time served. (See Remission.)

DAYS SERVED

The number of days of a sentence which have been served.

DETENTION CENTRE

A modern correctional facility consisting of maximum and medium security. Persons awaiting trial (on remand) and those serving very short sentences make up the largest portion of the population.

DISCHARGE POSSIBLE DATE

The earliest time at which a sentenced person may be released from custody after making allowance for maximum remissions. (See Remission.)

ESCAPE

The Criminal Code defines escape as breaking prison, escaping from lawful custody, or without lawful excuse being at large before the expiration of a term of imprisonment.

EXPIRATION OF SENTENCE

The day on which a sentence imposed by the court is completed and the person is released from an institution.

FINE

A penalty of a specified amount of money which may be levied by a judge or a justice of the peace upon an individual convicted of an offence. A judge may also levy a fine either in addition to imprisonment or in lieu of it.

FINGERPRINTING AND PHOTOGRAPHY

Any person charged with or convicted of an indictable offence may be fingerprinted and photographed under the federal Identification of Criminals Act.

FORESTRY CAMP

A minimum security setting where selected adult male inmates work at conservation projects; e.g., planting, pruning, and reforestation.

FORFEITURE

The loss of earned remission as a disciplinary measure for breach of institution regulations.

HOSTAGE SEIZURE

Forcible seizure of correctional staff or other person(s).

INCENTIVE ALLOWANCE

A small amount of money which may be earned by inmates in the Ontario correctional system, excluding those housed in jails. The money is earned in four stages, to which inmates are promoted according to their conduct within the institution.

INDICTABLE OFFENCE

Offences under the Criminal Code are either indictable or summary conviction. Summary conviction offences have a maximum punishment of six months' imprisonment and/or a fine of \$500. Indictable offences can be punished by longer imprisonment and are subject to a more formal procedure.

JAIL

A maximum security institution housing persons on remand awaiting trial, those serving short sentences (under 90 days), and persons in transit between institutions.

JUSTICE POLICY FIELD

This policy field of the Ontario Government consists of four ministries: attorney general, consumer and commercial relations, correctional services, and solicitor general. The ministers of each of these ministries constitute the cabinet committee on justice, which meets regularly to consider policy proposals brought forward by any one of the four ministries.

LEGAL AID

Free legal counsel made available upon request to those without the financial means to hire a personal lawyer.

MAXIMUM SECURITY INSTITUTION

Usually houses inmates in individual cells and provides strict supervision.

MEDIUM SECURITY INSTITUTION

Single cell and dormitory accommodation is used and inmates may apply for the Temporary Absence Program to work or take academic training in the community.

MINIMUM SECURITY INSTITUTION

Usually for the younger inmate and providing concentrated educational upgrading in an open setting in which the individual is expected to accept a certain amount of responsibility for his own conduct.

MINISTRY OF CORRECTIONAL SERVICES

The ministry of correctional services in Ontario has jurisdiction over adult male and female persons placed on probation, on remand awaiting trial or sentencing, being held for immigration hearings or deportation, awaiting transfer to federal institutions, sentenced to terms of less than two years, and those released on parole.

OMBUDSMAN **(in relation to inmates)**

The office of the Ombudsman investigates all complaints made to it by inmates who feel that their problems are not being dealt with fairly at the institutional level. Correspondence between an inmate and the Ombudsman is confidential.

ONTARIO CORRECTIONAL INSTITUTE

The only facility of its kind in Ontario, the institute in Brampton provides assessment for first offenders aged 16-24 from the central, western, and eastern regions of the province who have at least a nine-month sentence. There is also a treatment program for up to 150 inmates.

PARDON

Pardon may be granted upon application under the Criminal Records Act, through the National Parole Board, for a criminal conviction. Persons found guilty of a summary conviction offence may apply after two years, those convicted of an indictable offence after five years. An application for pardon is also required for conditional and absolute discharges. For a summary conviction offence the waiting period is one year and for an indictable offence it is three years from the date the discharge was granted.

PAROLE

The conditional release of an inmate to the community under the supervision of a ministry probation/parole officer.

PAROLE, NATIONAL BOARD OF

The National Parole Board has authority to grant parole to inmates serving terms of imprisonment in federal penitentiaries and in correctional facilities in provinces where there is no provincial parole board.

PAROLE, ONTARIO BOARD OF

The Ontario Board of Parole has authority to grant parole to inmates serving terms in Ontario institutions. The board automatically interviews all inmates with sentences of over six months. Those with sentences of less than six months may write to the board for consideration.

PAROLE POSSIBLE DATE

The earliest date on which an inmate may be released by a parole board. Generally an inmate is eligible for parole after one-third of the sentence has been completed.

PAROLE REVOCATION

The final rescinding by a parole board of an inmate's parole.

PAROLE SUSPENSION

The discontinuing of parole until it has been reviewed by the parole board. This review can produce one of two results: (1) cancellation of the suspension in which case the parolee is allowed to remain at large on parole, or (2) revocation of parole in which case the parolee must return to jail and serve the remainder of his sentence.

PEACE OFFICER

An individual delegated by law with special authority and responsibility to keep the peace. Within the ministry of correctional services, it includes any permanent employee of any facility under the jurisdiction of the ministry who is charged with the supervision of inmates during those periods when he/she is on duty as a correctional employee.

PENITENTIARY

A term for an institution operated by the federal government in which inmates with sentences of from two years to life are imprisoned.

PENITENTIARY SENTENCE

Any sentence of two years or more (or any combination of short sentences totaling two years or more) served in a federal institution.

POST-SENTENCE REPORT

A report, usually similar in format to a presentence report, prepared by a probation/parole officer after sentence. Such a report is usually ordered by the Court of Appeal.

PRELIMINARY INQUIRY

Court proceedings before a judge at which the Crown must present its evidence against an accused in order to show that it has a reasonable case which warrants proceeding to trial.

PRE-PAROLE REPORT

An account of an inmate's release plans; e.g., where residence will be established, details of living accommodation, prospective employment, family and community relationships, etc., which is submitted to the Ontario Board of Parole by a probation/parole officer before an inmate's parole hearing.

PRESENTENCE REPORT

A report prepared on the instructions of a court by a probation/parole officer, on a person found guilty or convicted of any offence. The report provides factual information about family, educational, and employment background, previous convictions, and other social information that will assist a judge in making a disposition of a case.

PRISON

The Criminal Code defines 'prison' as any facility in which persons charged with or convicted of offences are usually kept in custody.

PRIVATIZATION

The process whereby government contracts with the private/voluntary sector for the provision of services.

PROBATION

A sentencing option which permits a judge to order that an offender remain under the supervision of a probation/parole officer for a maximum of three years during which time he is subject to certain conditions.

PROBATION/PAROLE OFFICER

A person charged with the guidance and supervision of a probationer or parolee, and with the preparation of reports for use by courts and parole boards.

PROBATION REVOCATION

A probation order may be cancelled by the court if a probationer is convicted of a new offence during a probationary period. The court may then change or add to the conditions of the original order, or may impose any sentence which could have been imposed at the time of conviction for the original offence.

PROMISE TO APPEAR

A legal document issued by a police officer in which an accused makes a binding declaration to attend court. The alternative is to detain the accused for a maximum of 24 hours, in which time he/she must be taken before a judge to show cause why he/she should not be released immediately.

RECIDIVIST

An offender who repeatedly commits crimes.

RECIDIVISM RATE

The percentage of offenders within a particular area who return to crime after conviction and/or release from custody.

REMAND

The formal process by which a person who is unable to obtain bail is held in custody pending a decision by the court.

REMISSION

Any inmate serving a sentence is eligible to have his/her sentence reduced by up to one-third through good behavior. This is known as earned remission or 'good time.'

RESTITUTION

Compensation made by the offender for injury, loss or damage to an aggrieved party, which is frequently prescribed as a condition of a probation order.

RIOT

The serious use of force or violence by a group of inmates disrupting the operation of a correctional facility.

SEGREGATION

The separating of any inmate(s) from the institution population as a disciplinary measure or for protective custody either at the discretion of the superintendent or at the inmate's request.

SENTENCE

A sentence of less than two years is served in a provincial institution. A sentence of two years or more is served in a federal institution (penitentiary). (Persons found guilty of a summary conviction offence may apply for a pardon after two years, those found guilty of an indictable offence after five years.)

SUBPOENA

A legal document making the attendance in court of the person named therein compulsory. It is generally used to compel the attendance of witnesses.

SUMMARY CONVICTION OFFENCE

Offences under the Criminal Code are either indictable or summary conviction offences. Summary conviction offences have a maximum punishment of six months' imprisonment and/or a fine of \$500. Indictable offences can be punished by longer imprisonment and are subject to a more formal procedure.

SUMMONS

A legal document ordering a person to appear before a court at a specified time, date and place. The issuance of a summons occurs in lieu of detention.

SUPERINTENDENT

The person responsible for the administration of an Ontario correctional institution.

SUSPENDED SENTENCE

When no fine or imprisonment is imposed by a judge after an accused has been found guilty of an offence. Under section 663(1)(a) of the Criminal Code, an individual receiving a suspended sentence is released upon the conditions prescribed in a probation order.

TEMPORARY ABSENCE PROGRAM (TAP)

A period of time during which selected inmates are permitted to be absent from an institution, with or without an escort, to attend educational classes, to work, to seek medical attention, or to attend to family matters in times of crisis, at the discretion of ministry personnel.

THERAPEUTIC COMMUNITY

A milieu therapy program in which decision-making is the responsibility of staff and 'patients' (inmates) alike, with the staff in a 'guiding' role, and in which patients are encouraged to assume increasing responsibilities for decision-making and assistance to other inmates in their therapy.

TRAINING CENTRE

The province operates one minimum security institution for selected male offenders in which academic and vocational retraining is emphasized. This institution is operated in conjunction with a correctional centre.

VICTIM-OFFENDER RECONCILIATION

A process whereby the victim and the offender meet and negotiate repayment or other compensation. In the supervised meeting both the victim and the offender are encouraged to share and resolve, if possible, feelings related to the offence.

VOLUNTEER

Unpaid citizens work in institutions and with probationers in the community to enhance existing programs, provide new ones, and offer one-to-one relationships where they are considered beneficial.

WILLFUL FAILURE

The act of knowingly refusing to comply with a condition or conditions in a probation order.



**Ministry of
Correctional
Services**

**Honourable Nicholas G. Leluk
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Deputy Minister**